

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Bergmann <i>et al.</i>	Confirmation No.:	9538
Serial No.:	10/588,746	Group Art Unit:	1641
Filed:	May 23, 2007	Examiner:	Gary W. COUNTS
Docket No:	2582.012		
Title:	METHOD FOR THE DETERMINATION OF THE FORMATION OF ENDOTHELINS FOR MEDICAL DIAGNOSTIC PURPOSES, AND ANTIBODIES AND KITS FOR CARRYING OUT SUCH A METHOD		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT
UNDER 37 C.F.R. §1.142**

Dear Sir:

This is in response to the Office Action mailed on September 23, 2009, in connection with the above-identified U.S. patent application. The one-month period for response expired October 23, 2009. In light of a request for a two-month extension of time, this response is timely filed.

Claims 1-23 were presented at the time of filing with new claim 24 presented by preliminary amendment. Claims 1-24 are currently pending in the application.

The Action of September 23, 2009 requires election under 35 U.S.C. 121 and 372 between three groups of claims:

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| Group I | Claims 1-19, drawn to a method for the determination of the formation of endothelins; |
| Group II | Claims 20-21, drawn to an antibody; and |
| Group III | Claims 22-23, drawn to a kit. |

Without acceding to the correctness of the Examiner's characterization and application of the teachings of Kuriyama et al., Applicants hereby elect the claims of Group I (claims 1-19 and new claim 23). The election is made without traverse and without prejudice to Applicants' right to pursue the subject matter of the non-elected claims in one or more additional applications.

The Examiner is invited to contact Applicants' Attorney at the telephone number given below if any further questions arise in connection with this Application.

Respectfully submitted,



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Dated: December 23, 2009

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